

Remarks

The present response replies to the final Official Action dated October 19, 2005. The Official Action rejected claims 1-10 under 35 U.S.C. §102(e) as being anticipated by Bahl et al. U.S. Patent No. 6,834,341 (Bahl). Claims 11-13 were rejected under 35 U.S.C. §103(a) based on Bahl in view of Massarani U.S. Patent No. 6,393,484 (Massarani). Claims 14 and 15 were rejected under 35 U.S.C. §103(a) based on Bahl in view of Massarani and in further view of Schuster et al. U.S. Patent No. 6,857,072 (Schuster). Claims 1-15 are presently pending.

Bahl is the primary reference used in each of the rejections. Bahl has a filing date of February 22, 2000. To demonstrate actual reduction to practice prior to Bahl's filing date, the present response is being filed in conjunction with 37 C.F.R. §1.131 Declarations of Eric H. Grosse and Peter H. Priest. The inventors are no longer employed by Lucent Technologies Inc. ("Lucent"). Mr. Grosse is an employee of Lucent. He witnessed the operation of a secure wireless network described by Priest Decl. Ex. A pp. 4/11-9/11 and covered by the claims of the present application prior to February 22, 2000. See Grosse Decl., ¶ 8. Mr. Priest is the sole proprietor of the Law Offices of Peter H. Priest, P.L.L.C. ("the firm") whose declaration establishes that the invention submission describing this reduction to practice of the present invention was also prior to February 22, 2000. See Priest Decl., ¶ 4.

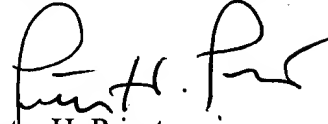
The invention submission for the present invention included a write up entitled "Providing Secure Wireless Network Communications." Priest Decl., ¶ 4 and Priest Decl. Ex. A. The date of this submission is prior to February 22, 2000. Priest Decl., ¶ 4. The Abstract at p. 4/11 of Priest Decl. Ex. A refers to a deployed secure wireless network. Mr. Grosse supervised both inventors, Mr. Branigan and Mr. Cheswick, at a time prior to Bahl's filing date. Grosse

Decl., ¶ 6. Mr. Grosse witnessed the operation of the secure wireless network referred by the invention submission and presently claimed in claims 1-15. Grosse Decl., ¶ 14. During the demonstration, Mr. Grosse witnessed the features of claims 1-15 of the secure wireless network deployed in the Unix and Green rooms in Murray Hill, NJ referred to by the Abstract at p. 4/11 of Priest Decl. Ex. A. Grosse Decl., ¶ 14. In connection with the preparation of this response, Mr. Grosse retrieved a network database file named "local-cs" from Lucent's backup facility. Grosse Decl., ¶ 16 and Grosse Decl. Ex. B. The "local-cs" file was created and was backed up by a backup facility in a nightly backup prior to February 22, 2000. Grosse Decl., ¶ 16. The "local-cs" file contains IP addresses referred to in the invention submission and a network name which Mr. Grosse believes refers to the secure network. Grosse Decl., ¶ 15, 17, and 18. The contents of "local-cs" file and its backup date corroborate that the invention as claimed was operational for internal use prior to February 22, 2000. Grosse Decl., ¶ 19.

The declarations of Mr. Grosse and Mr. Priest and supporting Exhibits establish that the present invention was reduced to practice prior to February, 22, 2000, thus prior to the filing date of the Bahl. Consequently, all the rejections relying on Bahl should be withdrawn.

Appl. No. 09/755,470
Amdt. dated November 28, 2005
Reply to Office Action of October 19, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter H. Priest". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

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